

**LABOUR IN
AGRICULTURE**
AN INTERNATIONAL SURVEY

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LABOUR IN
AGRICULTURE
AN INTERNATIONAL SURVEY

BY

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**A SOCIETY IS RICH WHEN MATERIAL
GOODS . . . ARE CHEAP, AND HUMAN
BEINGS DEAR.**

Tawney, *The Acquisitive Society.*

P R E F A C E

THIS book is based principally on work done by the Agricultural Service of the International Labour Office, namely, on information dealing with agricultural labour prepared by members of the Service and set forth in the official publications of the Office. Since the first issue of these publications over one hundred longer articles and studies and many shorter notes on this subject have appeared, the greater number having been contributed by the Service, the remainder by authorities outside the Office.

It appeared to the author that the best way of summing up this work would be to make an international survey of agricultural labour problems as they present themselves to-day. In this way the principles which underlie the situation could be adequately brought out. In doing this it seemed important to discuss and interpret the facts throughout. These discussions and interpretations are the author's own, and she is solely responsible for the general tenor of the book and for the opinions expressed in it.

Apart from an early effort made in 1921, under the Chief of the Agricultural Service at that date, Dr. W. A. Riddell, to publish a certain survey of information on the topics which were to come up for discussion before the International Labour Conference in that year, no international review of the agricultural labour situation has as yet appeared. The present volume is therefore a pioneer effort in so far as the attempt is made to draw general or universal conclusions from the data available; in particular, the chapters on the agricultural labour contract, on wages, on efficiency, and on the employment situation have no predecessor, and the author was obliged to draw on her own resources for the ideas set forth. Certain other chapters, in particular those on hours of work, housing, education, and collective action, are more closely based on published articles or published studies of the International Labour Office; for the writing of these the author, as member of the Agricultural Service, was also in some cases responsible or in part responsible.

It is hardly necessary to state that a book which is a first essay on any subject is bound to have serious gaps and defects. The present volume will be no exception. It may, however, be well to draw attention rather frankly to the great difficulty of collecting accurate information on agricultural labour. Agricultural labour, just because it is the oldest form of labour, is taken for granted. It is not analysed. It is particularly noticeable that some of the agricultural countries themselves assume the existence of agricultural labour without much

discussion. Such inquiries as are made are usually into the rural situation as a whole or into the economic or technical aspects of agriculture; labour comes in for a little notice, but not much. Even the formal economists, though invariably starting their systems on ideas concerning the use of the land, prefer to deal subsequently with the development of industry rather than of agriculture. This want of serious study on the spot and within each country is acutely felt when a world survey has to be made on any question connected with agricultural labour; information does not exist and cannot even be forwarded in response to special inquiries. On the whole, the information collected by the International Labour Office is probably as comprehensive as can at present be hoped for.

A few details to assist the reader may be set forth here.

The field covered has been *ex hypothesi* unlimited geographically, but the writer has naturally been compelled to draw on those sources of information of which she has the best knowledge. Consequently, while the problems of Oriental and tropical agricultural labour have constantly been in mind, direct illustration has been mostly from facts relating to the Western world. Similar considerations apply to South America. While fully aware of the great importance of the agricultural labour problems of this continent, the writer has preferred not to comment with precision on countries on which little information concerning agricultural labour can as yet be obtained. In the case of Russia the omission is deliberate. This may surprise many readers, but the writer has been influenced by the fact that a great deal of information now exists on the Russian social experiment.

The information on which the book is based must be taken to be concluded in 1933. Some of the legislation to which reference is made is likely to be superseded in Germany, Austria, and elsewhere. It is, however, too soon to say whether the principles on which that legislation was drawn up will continue to inspire agricultural labour policy in these countries, or whether an almost complete break will be made. In any case, the German and Austrian post-War agricultural labour legislation (and also some similar legislation in Estonia and Lithuania) has been so vital and was so logical a link in the historical development of these countries that no excuse is needed for the importance assigned to it.

Not much attention has been paid to a bibliography of agricultural labour literature. The compilation of such a bibliography would almost baffle even the most assiduous of library pedants. General works by agricultural economists include a limited reference to labour questions, but it is assumed that readers are fully aware of the

existence of such literature, which need not therefore be mentioned for the purpose of this book. Some mention of special sources is, however, attempted for the chapters on the agricultural labour contract.

Finally, it needs to be stated with some distinctness that the subject-matter of this book is *wage-paid* agricultural labour. From an ideal point of view it would have been greatly preferable if peasant agricultural labour, not hired for wages but working on its own account, could have been included as a subject. Such 'family' labour, as it is usually called (because the holding is always worked on the unit of the family and not of the individual), is the unexpressed background of what is said here; occasional specific reference is made to it. But while much in a general way is known of this world-wide form of human effort, it may be described as an even more obscure and baffling subject than agricultural labour working for wages. Its problems are land-tenure, indebtedness, and overwork, and on these the available information would with difficulty lend itself to any international analysis, though such an analysis will be extraordinarily illuminating if ever it is made.

The writer wishes to acknowledge much guidance received from her former Chief, Dr. Walter A. Riddell, now Representative Officer of the Dominion of Canada to the League of Nations and the International Labour Office, and much self-denying help from members of all sections of the staff of the International Labour Office, more especially from Mr. F. W. von Bülow, now in charge of the Agricultural Service, Dr. Olindo Gorni, and Miss K. M. Bunyard, also from Miss E. Hinton Smith, formerly a member of that Service; acknowledgment is further due to Mr. J. F. Duncan, President of the International Landworkers' Federation. On tropical agricultural problems she has had the advantage of consulting her husband, formerly Imperial Economic Botanist to the Government of India, Director of the Institute of Plant Industry, Indore, and Agricultural Adviser to States in Central India and Rajputana. The Appendix on 'Agricultural Labour Contract in Tropical and Sub-Tropical Countries' has been contributed by Mr. C. W. H. Weaver, Chief of the Special Problems Section, the International Labour Office, Geneva, to whom grateful acknowledgment is made.

The manuscript of this book was read by Sir Daniel Hall, K.C.B., F.R.S., LL.D., formerly Chief Scientific Adviser to the Ministry of Agriculture, whose advice and suggestions proved of the greatest value in the final revision. Finally, the author wishes to express her

sincere gratitude to the Royal Institute of International Affairs for arranging publication, at the same time stating that no responsibility for any views expressed attaches to the Institute.

Abbreviations are avoided *except* the following:

I.L.R. = *International Labour Review*,

I.L.I. = *Industrial and Labour Information*,

L.S. = *Legislative Series*; these are publications of the International Labour Office.

Articles in the *I.L.R.* written by the author before 1931 are referred to under her maiden name of Matthaei.

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PART I
INTRODUCTORY

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APPENDIXES

APPENDIX No. 1

THE 'AGRICULTURAL LADDER'

THE 'agricultural ladder' has been much studied in the United States, which is natural in a country of pioneer farming. Soon after the War fears began to be expressed that the opportunities for 'climbing' were not so great as they had been. Some alarm was felt at the increase in tenancy. Quite special views are held in the United States on tenancy of land. The tenant is reckoned to be the person who has not yet arrived at ownership or, in the worst case, who owing to want of success in farming has actually had to retreat from ownership of his own holding and sink to the position of a borrower of land. An increase in the national figures for tenancy is viewed with distrust as indicating either an arrest of the 'ladder' or as a decline in agricultural prosperity. Ownership on mortgage is considered almost equally undesirable; 'working for the bank' is a phrase used of American farmers farming on property carrying a loan from a bank. Considerable discussion on these points started in 1923 and 1924 on the basis of information collected during the 1920 census. (Cf. Department of Commerce, Bureau of the Census, *Farm Tenancy in the United States*, Census Monographs No. IV, Washington, 1924; Department of Agriculture, *The Agriculture Yearbook 1923*, Washington, 1924 (pp. 505-660, 'Farm Ownership and Tenancy'); W. B. Bizzell, *Farm Tenantry in the United States*, Bulletin No. 278 of the Texas Agricultural Experiment Station, 1921, 403 pp.; G. S. Wehrwein, 'Place of Tenancy in a System of Farm Land Tenure' in *The Journal of Land and Public Utility Economics*, vol. i, no. 1.)

The mobility of the farming classes—by the word 'mobility' is meant (a) entry into the farming class, (b) exit from the farming class, (c) movement within the farming class from worker to tenant or tenant to owner, &c., both upwards (the 'ladder') or downwards (failure and bankruptcy), and, finally, (d) transference from one holding to another especially from smaller to larger or vice versa—is far greater in newer countries like the United States and Canada than in the older countries. In the United States, for instance, the average period during which farmers remain tenants appears to be only one-fourth what it is in England and Wales. In Canada in 1921 over 25 per cent. of existing farmers had farmed less than 5 years and nearly another 20 per cent. less than 10 years, while over 33 per cent. had been less than 10 years on their present farm; however, nearly 40 per cent. had farmed 15 years or more on their present farm; these figures seem to show a small but solid block of stable farm population in this country, but otherwise great mobility of that population (Department of Trade and Commerce, Bureau of Statistics, *Sixth Census of Canada 1921*, vol. v, *Agriculture*, Ottawa, 1925, p. 82, Tables 62 and 63).

The chances of wage-paid workers to rise in the agricultural industry are naturally bound up with these general factors. Their opportunities depend

partly on whether the farming class can provide for its own recruitment and thus takes up all the available holdings; also on whether there is a pressure of outside candidates wishing to enter the farming occupation (especially as smallholders), or vice versa an efflux of existing farmers from it—the 'retreat from the land', to use another American expression, arising both through downright failure or from the opposite cause, prosperity, the migration of successful farmers to the neighbouring country town as lawyers, estate agents, merchants, being sometimes a well-marked feature of American life; this thinning down of the farmers' class gives an opportunity to employees to rise in the ranks. In the United States 1920 census it was found that 47 per cent. of tenants had previously been wage-paid persons (42 per cent. wage-paid persons only and 5 per cent. both wage-paid persons and owners), while of those who had got so far as ownership 34 per cent. had previously been wage-paid (14 per cent. wage-paid persons only and 20 per cent. both wage-paid persons and tenants); the average age for reaching the tenancy stage was something under 30 and for reaching ownership something under 40. In Wales, on the contrary, only 22 per cent. of present farmers had previously worked as wage-paid farm employees; 10–11 per cent. of these had also been the sons of such employees; another 11 per cent. had been the sons of such employees but had not worked for wages themselves; in general, it is estimated that, making allowance for the factor of outside recruiting, about one in five of wage-paid workers on Welsh farms have a chance of climbing the 'ladder'. These figures, though they do not attain the American standard, are nevertheless very high for Europe, Wales being a country of small farming and small ownership (see a thoughtful paper by A. W. Ashby and Llefelys Davies, 'The Agricultural Ladder and the Age of Farmers', in *The Welsh Journal of Agriculture*, vol. vi, 1930).

Share-farming, i.e. a system where financial responsibility is divided between the owner of land and the tenant, may in certain circumstances constitute a rung in the agricultural ladder. This was so at one time, e.g. in New Zealand, many agricultural wage-paid employees working their way up to a farmer's position via this stage. But again with the close of the pioneer period in farming such opportunities become rarer and share-farming tends to become a permanent position in which the share-farmer remains all his life without attaining ownership (see a few remarks by H. Belshaw in *I.L.R.*, vol. xxviii, no. 1, p. 32; and International Labour Office, *Studies and Reports*, Series K, No. 8, *The Representation and Organization of Agricultural Workers*, Geneva, 1928, pp. 186–7).

APPENDIX No. 2

SUPPLEMENTARY NOTES ON THE AGRICULTURAL LABOUR CONTRACT.

THE description of the agricultural labour contract in Chapters IV and V was necessarily made on rather broad lines. Many details could be added, though it must be admitted that in some countries the amount of information is extraordinarily scanty. The present appendix will give a slightly longer description of agricultural labour relations in four typical countries, Australia and New Zealand, France, and Hungary; the first two represent regions of pioneer farming, where, however, agricultural labour conditions have been a subject of discussion for many years; France is a western European country of advanced technique in farming and showing agricultural labour relations at a curious interim stage; Hungary, with an enormously important agriculture, is the remaining European country retaining Master and Servant right as the basis of the agricultural worker's contract. A few notes or references will be added for some other countries. Appendix No. 3 gives a description of the agricultural labour contract in tropical and sub-tropical countries.

Of International Labour Office publications the *Legislative Series* gives verbatim translations of the texts of many important Acts governing or affecting the agricultural labour contract, the *International Labour Review* has many descriptive articles, and the *Directors' Report* or the *Annual Review (Yearbook)* provides an annual summary of changes in agricultural labour legislation up to date.

I. AUSTRALIA AND NEW ZEALAND. The agriculture of both Australia and New Zealand is characterized by a peculiar mixture of large-scale enterprises, where labour and capital confront each other without disguise, and of smaller enterprises run on family effort, though often with a certain amount of paid labour. Share-farming is also known (in the dairying industries) and for many years provided a means whereby new-comers starting as workers were enabled to rise to ownership. It is now less important. In spite of the existence of family enterprises and of share-farming, Australasian agriculture cannot be said to include peasant holdings in the strictly accepted interpretation of that term. Farms are bought or acquired, they are not inherited, and there is an absence of the settled peasant mentality. There is a great deal of migration between town and country, and the way of life even in remote districts is urban adapted to country necessities. A special feature of Australian history has been the tendency for an undue amount of population to accrue to the larger cities. Even discounting the vast areas which are arid and therefore definitely uninhabitable, the proportion of rural to urban population is too small. 'Closer settlement' is an ideal, and there has been a long history of State intervention and State land-tenure with this end in view, but with some-

what uncertain results. In this country also the attractions of mining (especially the 'gold rushes') have proved a powerful and sometimes a destructive solvent of rural population (as can also be observed in South Africa). It is in any case necessary to guard against the idea that the general prosperity and expansion of a new country has resulted in an avoidance of rural poverty. In New Zealand the balance between town and country is better secured, perhaps owing to a more equable climate.

In general, agriculture in both countries is an export industry working side by side with manufactures sheltered by high tariff protection. It follows that the means of production, machinery, &c., on the farm are acquired at a very high cost, whereas the produce sold off the farm has to be low-priced to enable sales to be effected on the foreign market. This makes the situation of the farmer a very critical one, and continual discussion on the economics of farming goes on in parliament, in the press, and at the universities. Labour is vitally affected, as agricultural wages may alter rapidly according to the prevailing state of world produce-markets. Arguments for and against 'prosperity sharing' and 'adversity sharing' play a considerable part in any proceedings relating to the agricultural occupations before the industrial arbitration courts.

Machinery is much used, and there is great resemblance here to the agriculture of Canada and the United States. The idea of substituting machinery at all costs for the human muscle is perhaps a trifle less consciously pursued, but it is the opinion of competent observers that a great deal of human labour has been replaced, just as it has in North America; in particular, the almost complete disappearance of women paid workers is explained by the introduction of machinery in the dairying occupations. There has been, however, no noticeable final ejection of male workers, again as in North America the expansion of agriculture on foreign markets having been sufficient to absorb all labour available, though of late years it is suspected, at any rate in New Zealand, that the total number of agricultural wage-paid workers has slightly declined. Until recently, however, the effect of the introduction of machinery has apparently been only to expand the industry and also to stimulate the worker. The degree of skill reached in the use of the machines installed in agriculture is impressive, perhaps the classic example being the electrical shearing of a living animal like the sheep on the huge sheep-stations. This combination of skill and almost unlimited power has not conduced to the easy working day; the rate at which performance is expected when machinery is provided is altogether beyond what average farming practice is accustomed to look for in other parts of the world.

The situation is made possible for the worker because this phenomenally hard work is well paid and goes on only during part of the year. The good organization of the seasonal labour task is the distinguishing characteristic of Australasian farming. The travelling gang system is particularly well run, and is established not only in the pastoral industry and in threshing

(in the latter occupation, of course, in many other countries), but also in fruit and other harvesting, in scrub-clearing, and notably in haymaking and ensilage work (New Zealand). It is natural that seasonal work, its organization and claims, should rank very large in public affairs.

Less attention is bestowed on the position of the ordinary farm-labourer. There is absolutely no hereditary class of wage-paid general farm-workers. Jobs on a farm or jobs in any other occupation are freely undertaken in succession and many engagements of farm-workers are for quite short periods. The consequent mobility of the farm-worker gives him an independence almost like that of the Scotch farm-servant (who is also much addicted to changing his job, though only from farm to farm), but the general bargaining position of paid farm-workers in Australia and New Zealand outside the pastoral, fruit, and threshing occupations is not good. In New Zealand a rather satisfactory round of work, filling up most of the year, has been established by transference of workers between rural occupations and the allied fruit-drying and meat-freezing works; such transference of workers is, however, in no sense organized.

The pursuit of trade union ideals and the successful organization of a small portion of the agricultural wage-earning proletariat constitutes a notable contrast to the situation in Canada or in the United States, where organization of agricultural wage-paid workers has only just started. Such agricultural trade unionism in Australasia is mostly confined to the pastoral industry, but is nevertheless of general importance; at the end of the nineteenth century the shearers' unions took a very considerable share in building up the trade union position in the two countries. There is some complaint that they have lately been hampered in their efforts to obtain good wages and conditions by undercutting from smaller owner-occupiers who are themselves very skilled at jobs like shearing and eager to supplement their incomes by seasonal work at the shearing-sheds. In general, in spite of the fact that a considerable portion of Australian and New Zealand farming is carried on by family labour, the employer-employed relationship plays a fundamental role.

The situation is crystallized in the proceedings before the various industrial arbitration courts. These courts have about forty years' history behind them, and the investigation of the efforts made by the Australian and New Zealand agricultural workers to secure notice from these courts constitutes one of the most instructive pieces of agricultural labour history on record.

In Australia there is separate and independent industrial arbitration legislation (*a*) for the whole Commonwealth, and (*b*) for each of the six States constituting the Commonwealth. The original Commonwealth industrial arbitration Act of 1904 excluded agriculture; subsequent amendments permitted an association of not less than 100 workers in any industry to register and apply for wages awards, but of agricultural workers only the pastoral and fruit-workers have ever done so. The first Commonwealth

pastoral award was made in 1907, and this has been varied, or fresh comprehensive awards made in 1911, 1916, 1922, 1923, 1926, 1927, 1930, and 1933. The Commonwealth awards have become increasingly influential, the question of the basic wage sufficient to support a worker and an average number of dependants in its application to agriculture being gradually taken into consideration, as well as such items as rise in productive skill, travelling time, &c.; the economic state of the industry has, of course, been a matter for argument throughout. All aspects have received lengthy consideration from the court, in addition to an enormous amount of discussion in the press and elsewhere. At first the Commonwealth pastoral awards applied only to the most skilled workers, shearers, &c.; in 1917 the so-called 'shed-hands' (men doing general and supplementary jobs), who had been very underpaid, were included and have worked under regulated conditions since. A fruit-workers' award was first made in 1912, and varied in 1920, 1923, 1925, 1930, and 1931.

Awards in the separate States may supplement the Commonwealth awards on any point, but especially by the grant of higher wages (this occurs in the pastoral industry) or by bringing other groups of workers, especially the ordinary farm-worker, under wage rulings. On the latter point not much headway has been made. In South Australia, Victoria, and Tasmania agriculture is expressly excluded from the operation of the industrial arbitration system under the text of the Acts; in Western Australia, though agriculture is not formally excluded, the court has very rarely been asked to make awards in agriculture and never in one of the important agricultural occupations. Only in New South Wales and in Queensland has some progress been made. After years of struggle the decision to include agriculture was obtained for a short time. In New South Wales an interesting attempt was made between 1918 and 1922 to fix a rural standard of living and to make agricultural wages conform thereto, just as urban wages are made to conform to urban standards of living by the action of the courts; the attempt lapsed under amended legislation in 1922 before it had been properly worked out. In 1926 the court was once more empowered to deal with agriculture; a rural living wage of £4 4s. a week was declared on 20 July 1927, being the same as the declared urban living wage, but the court consented to open an inquiry on the point; this inquiry was still pending when agriculture was once more removed from the competence of the court in 1929, since when no further progress has been made. In the last-mentioned year also the competence of the Queensland court in agriculture was severely limited to dealing with workers in the sugar industry, in butter and cheese factories, and, of course, in shearing; the awards made in this State for general farm-workers in 1926 and 1927 thus fell to the ground.

In New Zealand the conciliation and arbitration Act has always, formally, covered agriculture, but not once in the course of its forty years' history has the court made an agricultural award except in the pastoral

industry or for such definitely industrialized agricultural occupations as the frozen-meat trade, &c. In 1908, 1919, and 1925 applications for an award were made on behalf of general agricultural workers, but were each time refused, on the last occasion without pronouncement against the merits of the claim. This slight weakening of the court's hitherto negative attitude roused that section of New Zealand opinion which has always been opposed to the inclusion of agriculture in the arbitration system. After the enactment of some interim legislation in 1927 and 1928, and after definite demands that agriculture should be wholly excluded from the scope of the Act (which would have had the effect of rendering void all the awards in the pastoral occupations), the matter was settled by an Act of 27 April 1932, which substituted voluntary conciliation for compulsory arbitration throughout the industries of the country; this was a reversal of the whole industrial history of New Zealand, but is at the present still maintained.

The upshot of all these movements taken together is to show agricultural workers in a very disadvantageous position over against all other workers in these two countries; their right to obtain regulated conditions is either denied or challenged or rescinded after having been for a short time established; in New Zealand the effort to include agriculture perhaps contributed to the temporary collapse of the whole principle of compulsion. The situation was more promising before the worst effects of the depression had appeared; it looked as though there were some chances for agricultural workers to obtain the much-desired position comparable to that of industrial workers.

In one way the agricultural workers in these countries have a big asset—they have created their own aristocracy. The shearers and in a lesser degree the other privileged workers in the pastoral occupations do, during a good season, earn considerable sums; an expert shearer may get 30 weeks' work and making £20 a week may earn £500–£600, which, of course, is not so much in a country of high cost of living like Australia as it would be elsewhere. The existence of such a permanent aristocracy of workers is of considerable interest from a social point of view, but the situation of the majority of the farm-hands is only superior to that in many other countries in so far as there are usually opportunities of change of employment such as are denied to the sessile agricultural proletariats of Europe and other older continents. This mobility of labour, which was noted above, prevents what may be described as the 'staleness' of the agricultural labour situation in these older continents, which no doubt is an important advantage.

All awards and pronouncements of the industrial arbitration courts are published in the official gazettes, and usually also in annual volumes, by the Federal and State governments of Australia and the government of New Zealand. Useful summaries of the main facts will be found in *I.L.R.*, vol. xxv, no. 6, pp. 765–86, 'Agricultural Wages in Australia', by D. B. Copland and O. de R. Foender; *ibid.*, vol. xxviii, no. 1, pp. 26–45, 'Agri-

cultural Labour in New Zealand', by H. Belshaw; statements of the court's reasons for rejecting regulation of ordinary farm-workers' wages in New Zealand in *Awards, Recommendations, and Decisions &c. under the Industrial Conciliation and Arbitration Act*, vol. ix, 1908, pp. 517-28 and vol. xxv a, 1925, pp. 771-2, Wellington.

II. FRANCE. France is perhaps the only modern nation convinced that industrial development should not be sought within her borders at the expense of agriculture. Every Frenchman, be he inhabitant of town or country, cherishes the idea that the peasant home and the land are ends in themselves and are worthy of the deepest respect. The agricultural policy of the country is to maintain rural economy on its present basis but at an increasingly high technical standard.

The land-tenure system has very definite features, namely, a mixture of large and small properties (the former mostly in the north or west) with considerable fragmentation in some parts (the result of the inheritance laws) or intermingling of small plots, the beginnings of farms, as it were. As explained in the text, the population is closely attached to the land, the desire for ownership of any scrap of land being extremely strong. Every sort of cultivation is practised, including forestry and perfected forms of horticulture, orchard or vineyard work, while animal husbandry is strong. The result is a very varied agricultural economy, though not quite so multiform as in Italy. Share-farming is much relied on and great attention is paid to it.

Population is stationary or declining. In addition, there is a strong rural exodus, which affects the peasantry as well as the wage-paid working force. The great impulse given to industrialization during the War, the reconstruction and modernizing of the mines, and the losses in the manhood of the nation inflicted by the War itself have made the situation worse—in some districts land is actually going out of cultivation. The predominant part played by women in agriculture is also noticeable, and is largely due to the fact that the woman is left behind while the man seeks industrial work (see *I.L.R.*, vol. xx, no. 1, 'Number of Women in Agriculture in Germany, France, and Czechoslovakia'). The wife and old mother do their full share of the farm-work and even perform some of the most burdensome tasks, such as the spreading of manure or the loading of hay. All this is a matter of deep pre-occupation. Yet the agricultural population is still equal to the two groups of industry and commerce taken together.

Various forces may tend to keep the situation stable: the greatly improved communications (the motor-bus now penetrates into remote Savoy villages), the very successful electrification of rural districts—on this large sums of public money have been spent. There is also the question of foreign immigration. Traditional streams of foreign agricultural workers have long arrived regularly for certain seasonal operations, more especially Belgians for the beet work in the north and Italians and Spaniards for the vineyard work in the south and south-west. Since about 1923 a much more

systematic labour recruitment for general agricultural purposes has been instituted ; conditions are publicly controlled and often laid down by international negotiation, so that by 1927 no less than 200,000 workers had entered France to take up wage-paid work on French farms ; the Polish recruitment is particularly noticeable, but a number also come from Czechoslovakia. The results may be said to be fairly successful, but the pull of the towns is so strong that even these workers often desert the farms quickly. The employers who have paid for this recruitment are thereby put to great expense for no purpose ; the breach of contract on the part of the worker is difficult to deal with. Meanwhile, the older Italian and Spanish recruitment has partly taken the form of immigration for settlement, and by the same year, 1927, there were 95,000 immigrant owners, tenants, or share-farmers established on French soil in occupation of 150,000 hectares held outright and 437,000 hectares held on lease or share-contracts. These settlers are concentrated in certain areas in the south-east and south-west. Though Spanish or Italian, as the case may be, seems the native language in some country towns rather than French, assimilation is going on rapidly.

The classes of wage-paid workers include the bailiff (*régisseur*), but only on large estates, the foreman (*maître-valet*), a number of permanent workers on monthly or yearly contracts, usually performing specialized functions, e.g. shepherds, cowmen, ploughmen, &c. (these correspond with *deputatists* of central and east Europe), and ordinary farm-servants, men or women (*domestiques, valets de ferme, servantes de ferme*), on the smaller farms. There are reiterated complaints of the difficulty of obtaining good permanent farm-workers. There are also a large number of day workers (*journaliers*), whose ranks are in part recruited from members of the agricultural population enjoying a small measure of independence, a tiny holding, &c. ; finally, there are piece-workers (*tâcherons*) especially in the vineyards, where work follows a traditional organization arranged on the gang system and well paid ; these workers also are often smallholders, indeed, they may be vineyard proprietors themselves. Finally, there are forestry workers (*bûcherons*), with whom are associated the workers engaged in the occupation of cooperage (*feuillardiers*) for the wine trade, resin-collectors (*résiniers*, these mostly have also a small share-contract with their employer over an area of land on which they grow ordinary crops), and horticultural workers (*jardiniers*) concentrated in the flourishing market-garden areas round the large cities. Although some allowances are given, wages tend on the whole to be in cash.

Legal controversies in regard to the agricultural labour contract do not often arise (apart from the breach of contract arising out of desertion of immigrant workers mentioned above) ; no special disabilities exist in the case of agricultural workers, but neither was there until recently much definite legislation or other effort made to improve their position. On the other hand, the new system of family allowances in industry which started after

the War has from the outset included agriculture, while agricultural workers were originally brought under the new and comprehensive social insurance Act; unfortunately, this at once gave rise to heated controversy and separate terms had to be applied to them. The important system of industrial arbitration (*conseils de prud'hommes*) was extended to agriculture by an Act of 25 December 1932.

For the continual small strikes which are very characteristic of the French agricultural labour situation see Appendix No. 5.

There are a number of official sources (*Annuaire statistique, Journal officiel, Bulletin du Ministère du travail, statistique des grèves, &c.*) from which a great deal of information on agricultural labour may be obtained. The proceedings of the many annual conferences of agricultural bodies include frequent resolutions and discussions on such subjects as housing, social insurance, &c. Of the important general literature the following may be cited as particularly useful: J. Méline, *Le Retour à la terre et la surproduction industrielle*, Paris, 1905, 320 pp.; M. Augé-Laribé, *Le Problème agraire du socialisme. La viticulture du Midi de la France*, Paris, 1907, 362 pp. (principal source for the vineyard workers' movements in the south); A. Souchon, *La Crise de la main-d'œuvre agricole en France*, Paris, 1914, 552 pp. (an excellent source); V. Boret, *Pour et par la terre*, Paris, 1921, 318 pp.; G. Risler, *Le Travailleur agricole en France*, Paris, 1922, 281 pp.; P. Régnier, *L'Ouvrier agricole*, Paris, 1924, 280 pp.; Carnegie Endowment for International Peace, *Economic and Social History of the World War. Agriculture and Food-Supply during the War. I. Agriculture*, by M. Augé-Laribé, Newhaven and London, 1927, 328 pp. (see pp. 13-16, 'The Labour System', and pp. 39-45, 'The Labour Supply', and corresponding sections in the original French edition); the same author in *I.L.R.*, vol. xxv, no. 1, pp. 23-57, 'Labour Conditions in French Agriculture' (this article has a special analysis of the wages situation); *Les Cahiers du redressement français; L'Agriculture*, Paris, 1927, 105 pp. (pp. 59-92, 'La Main-d'œuvre agricole', by P. Garnier); also collections of the periodicals *La Main-d'œuvre agricole*, 1920-5, *Le Travailleur de la terre* (for some post-War years only), and *L'Agriculture pratique*.

III. HUNGARY. There is a good deal of legislation affecting the agricultural worker's contract in Hungary, mostly dating from the end of the nineteenth and first years of the twentieth centuries. The reason for this is clear. The wheat crop of the great plains was, and still to a large extent is, the economic basis of national prosperity, and any failure of the labour-supply during harvest threatened to be disastrous; consequently the public authority and the employers together at an early date ensured to themselves ample powers of holding agricultural workers to their engagements. The labour legislation to be referred to coincides with Hungary's entry on the world wheat-market.

In the course of insisting on complete performance by the worker and detailing his obligations, the law almost necessarily abolished customary or unpaid services surviving from an earlier date: such services were not

sufficiently effective. In this way contract came to be substituted for status, and almost automatically certain minimum workers' rights had to be established. It is interesting to trace the gradual advance of these rights under a régime which has admittedly been aristocratic. Good progress was made until about 1910, but after that the position has been a stalemate.

In 1876 Hungary proceeded to enact the first Master and Servant Act giving uniform conditions throughout the country to domestic and farm-servants and agricultural workers generally. The parts of this Act affecting agricultural workers not farm-servants were later replaced by Act No. II of 1898 respecting the Regulation of Legal Relations between Employers and Agricultural Workers, and the parts affecting farm-servants by Act No. XLV of 1907 respecting the Regulation of Legal Relations between Farmers and Farm-Servants. There exist in addition the following Acts: No. XLI of 1899 respecting Day Labourers and Workers employed on Hydraulic, Road, and Railway Works (this affects agricultural labour inasmuch as such work constitutes their winter employment, or alternative employment); No. XLII of 1899 respecting Agricultural Contractors and Assistants (deals mostly with threshing work); No. XXVII of 1900 respecting the Regulation of Legal Relations between Landowners and Estate Employees; No. XXVIII of 1900 respecting Forestry Workers; No. XXIX of 1900 respecting the Regulation of Legal Relations between Tobacco Producers and Tobacco Cultivators. There exist also two agricultural wages Acts of 1923 (Nos. XXIV and XXV).

Under this legislation the whole body of Hungarian agricultural workers, apart from salaried estate employees and workers on special share contracts like the tobacco workers, fall into two main divisions, the farm-servants and the day workers. The farm-servants must be considered first. Their position is most carefully defined under the 1876 and 1907 Acts. It should be borne in mind that the Hungarian farm-servant is not the young unmarried worker of the German and Scandinavian countries, but, as in Scotland, is an older married worker. The system in Hungary is to allot to such a worker quite a considerable amount of land and to permit him to keep animals, e.g. pigs and poultry (draught power is usually supplied by the estate). The result is that the farm-servant really carries on a miniature establishment of his own (he may himself have a young servant in his employ), every large estate being surrounded by a fringe of such establishments, which are more important than the corresponding *deputatist's* holdings in Central Europe. The Hungarian farm-servant, in fact, is half-way between the *deputatist* and the Roumanian occupying peasant worker.

He resembles the *deputatist* in law inasmuch as his position is expressly defined (in both Acts) as that of a member of the employer's household and subject to the employer's 'household discipline'. Farm-servants' contracts arise whenever any person offers his services against remuneration for at least a month; this is to be noted as an extension of the servant system to persons serving for periods much shorter than a year. The abuse of the

indeterminate contract is not admitted ; contracts must be concluded for a period which can be expressed in years, months, weeks, or days ; failing this, the earlier Act states that they must be terminable on notice, but the later Act is more categorical in stating that a year is the utmost period of validity where no other is laid down. Taken in conjunction with the fact that some valuable consideration has to be returned for services rendered (this principle is re-stated in the opening words of Act No. XXV of 1923 on wages), it is clear that even the earlier Act was concerned to replace any lingering customary practices or any condition of status by enforceable or recognizable employment contracts ; this in itself was perhaps the greatest reform. Such employment contracts are to be free contracts, oral or written ; the terms of the 1907 Act tend to force the employer to give some form of written agreement.

Moreover, the farm-servant's contract must be an individual contract. The 1907 Act repudiates as void any obligation laid on a principal worker to furnish the services of a member of his family ; if such services are required a separate and independent contract must be entered into. This abolition of the system of the *Hofgänger*, to use the German term (see under Germany), is another notable point in the 1907 Act. The same clause abolishes all unpaid statute labour or *corvées* (though not the definite and useful practice of allowing smallholder-labourers to pay for their occupation rights by days of work).

Equally advantageous to the worker are the clauses in the 1907 Act (they are not to be found in the earlier Act) which prohibit the employer from contracting with his servant to sell back to him or to any person indicated by him the surpluses of the servant's allowances in kind, to force the servant to buy any requirements from himself or from such a person or to receive any of his remuneration in the form of alcoholic liquors. The later Act also prohibits the employer from taking any interest on loans or advances to his servant.

The worker's wages are protected, in greater detail in the later Act. Wages must be paid regularly and punctually, according to the earlier Act at customary intervals, according to the later, perishable commodities like milk, &c., must be given daily and cash wages and all other permanent allowances at least once a quarter, the allowances in kind at the beginning, the cash wages at the end, of the quarter ; there is a good deal of additional protection of wages in the later Act. Both Acts lay down that the food supplied to the servant and the allowances in kind must reach the customary standard, the later Act stating more definitely and minutely that board must be sufficient and of good quality, that grains supplied as an allowance must be 'clean grain of sifted and unexceptionable quality at least equal to the merchantable seed grain of the current year', that grain bought by the employer to make up allowances must be of first-class quality, other allowances of good quality, the allowance in land of a quality which equals the average land set aside for similar crops on the estate itself,

that the ploughing supplied by the employer must attain customary local standards, that carting must be supplied for the servant's harvest, also to and from the estate mill (though the servant is not obliged to use this mill, but loses his carting if he goes to another). Further clauses protect briefly the worker's health and strength, his free time on Sundays and holidays, and state that his accommodation must be sanitary. An important stipulation prohibits children under 12 from entering on a servant's contract and makes the employer liable for school fees where these are due.

The worker, for his part, is to conduct himself with 'moderation, thrift, and morality' (1876 Act only), is liable to perform his work punctually, faithfully, and to the best of his ability (1907 Act), is liable for damage caused by his neglect, though the later Act deprives the master of the power of retaining wages or fining on this account and leaves him only the power of reprimand.

But while the master was thus under this Act prohibited from inflicting his own penalties, little was done to interfere with his right of having punishment inflicted on his servant through the police authorities. Under the 1876 Act the master could apply to the local authorities to have his servant fined for failure to appear in fulfilment of his contract, for desertion, for various misdemeanours, for simple disobedience, and all these fines, if not paid, led to terms of imprisonment, the duration of which was laid down in detail (e.g. one day's imprisonment in lieu of 2 gulden, for farm-servants). Moreover, the police might use physical force to compel a servant to return to his duties, which, however, did not relieve him from the necessity of serving a term in prison to work out a fine as well. A few abuses (e.g. ill-treatment of children or positive ill-treatment of adults) were, indeed, guarded against, but, on the whole, the servant may be said to have been held to his bond under the threat of physical compulsion. These penalties were no dead letter. They have been slightly softened in the later Act by the stipulation that action must be initiated within eight days of the offence. The servant's right of bringing a civil action for damages is also expressly recognized in this Act, and alterations by agreement during the currency of the contract are allowed; the latter proviso was the basis of the 1923 legislation dealing with wages during the inflation period.

The regulation of the contracts of agricultural workers, other than farm-servants was, as has already been stated, dealt with first under part of the 1876 Act and then under a separate Act of 1898. The workers so covered fall into two classes, namely, the gangs or associated groups who contract jointly to carry out certain special operations (especially reaping) and the individual day labourers. The first may be closely compared to the *artels* of workers to whom the Russian Act of 1906 refers. Each member of the gang enters into a direct contract with the employer, for which he and his comrades are jointly responsible; there is therefore no true sub-contracting and the employer is legally cognisant of the situation of each worker. The labour envisaged is migratory, from the hills to the plains for

the summer season, and great care is taken to have the contracts on a regular basis. Contracts have to be written and have to be viséd by local authorities, the local notary having the duty of reading aloud and explaining the terms to the two parties in their mother tongue (the workers engaged are mostly Slovak). The terms of the contract are enforceable with great strictness on both parties. The master is held to the terms of his wage promises (indeed, something like minimum subsistence clauses are incorporated), and in many other respects has to be careful to abide by his contract. He has, however, the same right to apply to the police authority to force his workers to fulfil their tasks as accrues to him under the legislation defining his relations with his farm-servants, so that there is practically little to choose between the two kinds of contracts in this respect. Moreover, great nervousness is shown on the subject of combined action, any attempt at which is forbidden by far-reaching clauses carrying penal sanctions, namely, arrest and imprisonment. Contracts with individual day labourers follow analogous principles, and in this case, too, specific performance may be enforced by physical compulsion on the part of the police authorities.

The Acts of 1899 and 1900 on road work, threshing work, and forestry work are on the same lines as the 1898 Act, to which they are merely complements.

Since the War the rural situation in Hungary has been dominated not by legal but by economic considerations. The inflation made complete havoc of wages, for which the Acts of 1923 have provided only a very partial remedy. The poverty of the rural wage-earner is to be deduced from the fact that it is permissible to assume two wage-earners per family, the wages of the single principal worker not sufficing; there is one woman or younger wage-earner to every two men. Wages tend to be altogether in kind and are elaborately computed; the cash wages of day workers tend to be low; hours are long, and distances to the work-place considerable. The worst suffering arises out of the fact that, while the agriculture of the country is doing so badly, the day workers, of whom there are many thousands, can only reckon on 150, 100, or even 60-80 days' work a year, instead of the normal 200. Thus want of work is a worse hardship than small wages.

A large Hungarian literature of legal comment exists on the Hungarian agricultural labour contract. Besides the original text, an official translation of all Acts into German is issued under the title *Gesetzsammlung*. For general information cf. *I.L.R.*, vol. i, no. 1, pp. 137-47, 'The Agricultural Labourers of Hungary'; *ibid.*, vol. viii, no. 5, pp. 645-71, 'Labour Legislation in Hungary', by D. Pap; *ibid.*, vol. xxv, no. 5, pp. 673-8, 'The Agricultural Labour Situation in Hungary'; *ibid.*, vol. xxviii, no. 4, pp. 518-30, 'Landless Agricultural Workers in Hungary', by M. Moricz.

IV. OTHER COUNTRIES. *Algeria*. *I.L.R.*, vol. xxii, no. 4, pp. 483-502, 'The Problem of Agricultural Labour in Algeria', by G. F. Stotz, is an interesting account of rather unusual forms of labour contract in agriculture.

Austria. The provincial agricultural labour codes, to which reference is

made in Chapter V, are as follows: *Upper Austria*, Domestic and Agricultural Labour Code, 10 March 1921; *Lower Austria*, Agricultural Labour Code, 22 March 1921; *Carinthia*, Agricultural and Domestic Servants' Code, 1 June 1921; *Styria*, Act respecting the Regulation of Employment in Domestic Service, Agriculture and Forestry, 29 October 1921; *Salzburg*, Agricultural Labour Code, 20 January 1922; *Tyrol*, Domestic Servants' and Agricultural Workers' Code, 29 May 1922; *Vorarlberg*, Domestic Servants' and Agricultural Workers' Code, 10 August 1923; *Burgenland*, Agricultural Labour Code, 14 January 1926. German texts of these, of an old Vintners' Order in Styria not formally abrogated after the War, and of the Federal Estate Employees' Act of 26 September 1923 in *Das oesterreichische Agrarrecht, I. Teil: Landwirtschaftsrecht*, ed. by Karl Haager, Vienna, 1929. A detailed analysis, together with bibliography of Austrian sources, will be found in International Labour Office, *Studies and Reports*, Series K, No. 10, *The Law on the Contract of Employment of Agricultural Workers in Austria, Germany, and Hungary*, Geneva, 1930, 63 pp.

Belgium. The texts of Acts affecting agricultural labour will be found included in A. Henry, *Code de l'agriculteur et du forestier*, Liège, 1909, 1062+xxxviii pp.; Ministère de l'Agriculture, *Enquête sur le travail agricole*, Brussels, 1920, xxxi, 880 pp., is a detailed official description, region by region, of agricultural labour conditions.

Czechoslovakia. There were five Master and Servant Ordinances governing the agricultural labour contract before the War in the districts which now constitute Czechoslovakia, one in Bohemia of 1866, one in Moravia of 1886, and three in Silesia of 1867, 1899, and 1908; in Slovakia and Sub-Carpathian Russia Hungarian and Russian legislation applied respectively. The Austro-Hungarian Estate Employees' Act of 1914, which became law just before the War broke out, still governs the contracts of salaried staff. The Ordinances include interesting clauses on the payment of wages, which were an attempt to protect the worker. Their penal stipulations were swept away by a Decree of 17 October 1919, but the Ordinances as a whole have not yet been replaced by a comprehensive Act on the contract of resident agricultural workers. A useful sketch of legislation accessible to readers of German is *Zeitschrift für Ostrecht*, March 1929, pp. 388-414, 'Das tzechoslovakische Arbeitsrecht', by R. Dominik (pp. 389 and 393-4 for legislation affecting agricultural workers). There are full sources of information in the Czech language. In 1926 an inquiry into movements of agricultural working population and agricultural labour conditions was carried out by the Czechoslovak Academy of Agriculture; this will be found analysed in *I.L.R.*, vol. xx, no. 1, pp. 84-95, 'An Enquiry into the Conditions of Work and Wages of Agricultural Workers in Czechoslovakia.'

Estonia. Before the War agricultural labour contracts were governed by some labour clauses in an Estonian Peasants' Ordinance of 1856, but nothing except a year's contract was recognized; shorter engagements were no doubt controlled by custom and the administrative discipline of local

authorities under the Tsarist government. A Republican Act of 13 September 1919, replaced by a revised Act of 21 October 1921, set up an elaborate series of committees to deal with every phase of the agricultural labour contract. These arrangements broke down owing to the absence of any powers to enforce election to the committees, and the situation has since altered, so that the chances of re-introducing or once again attempting to enforce such legislation are not great. *I.L.R.*, vol. v, no. 5, pp. 731-8, 'The Position of the Agricultural Labourer in Estonia', by M. Martna, and *ibid.*, vol. xiii, no. 1, pp. 21-47, 'Social Aspects of Land Reform in Estonia' (last half of this article), by the same author, give a description of the intentions of this legislation.

Germany. There has been a great deal of comment on the agricultural labour contract both before and after the War; references will be found in *Handwörterbuch der Staatswissenschaften*, 4th ed., 1925, vol. vi, s.v. *Landarbeiter*. The text of the Provisional Agricultural Labour Code, of which mention is made in Chapters V and VI, is available in *L.S.*, 1919—Ger. 3, and an analysis of its terms, together with mention of authorities, will be found in the International Labour Office *Study and Report* referred to under Austria above. The *Hofgänger* contract, to which reference is made in more than one Chapter of the present book, is a contract which obliges the principal worker (the head of the family) to bring along with him an adult son or other adult relative as a second worker; the allowances in kind are reckoned to provide for the maintenance of this second worker, who, however, receives a separate cash wage. This rather curious survival of an old sub-contract is due to the great difficulty of getting adult male labour in the thinly populated parts of eastern or northern Germany. The workers strongly object to it, on the ground that the lodging of an adult stranger—substitutes usually have to be found for the sons, who refuse to stay in rural employment and make their way to the cities—puts an impossible pressure on the accommodation provided.

Great Britain. In this country also there has been much comment on agricultural labour relations, though perhaps with rather more insistence on the social, and rather less on the legal, side of the labour contract than is found e.g. in Germany. A number of reports of Royal Commissions during the nineteenth century provide a most illuminating picture of the effects of the rapid rise of a rich industrialism on an agriculture which has been unable to keep pace with urban progress. Among recent literature may be mentioned: F. E. Green, *A History of the English Agricultural Labourer 1870-1920*, London, 1920, 356 pp.; W. Hasbach, *A History of the English Agricultural Labourer*, London, 2nd ed., 1920, 360 pp.; A. Venn, *Foundations of Agricultural Economics*, Cambridge, 1923, 397 pp. (Chs. IX and X, 'Agricultural Labour').

Italy. A good recent short account of agricultural labour relations will be found in C. Dragoni, *Economia agraria*, Milan, 1932, 794 pp. (Ch. IV, 'Le varie categorie di lavoratori agricoli e i loro salari').

Latvia. Three different legal texts governing the agricultural labour contract were current before the War in the territory now constituting Latvia, the Courland Peasants' Ordinance of 1819, the Livonian Peasants' Ordinance of 1860, and in Latgale the Russian Act of 1906 on the Engagement of Agricultural Workers. These all established the usual Master and Servant obligations, the two first contemplating contracts which lasted longer than a year. These Ordinances have not been abrogated, but are hardly effective at the present time. In 1927 accident compensation was extended to agricultural workers, and on 13 June of the same year a special Act was adopted on agricultural workers' housing. A model employment contract drawn up by the Central Agricultural Association even included such points as the weekly rest and paid holidays. There is a shortage of workers, partly made good by immigration of alien workers from Lithuania, who take six to eight months' summer employment as farm-servants. Some information will be found in *I.L.R.*, vol. xx, no. 1, pp. 35-66, 'Social Aspects of Agrarian Reform in Latvia', by F. W. v. Bülow (pp. 57 sqq. on agricultural wage-paid labour).

Lithuania. Before the War the Russian Act of 1906 on the Engagement of Agricultural Workers governed all permanent contracts; temporary employment was much less strictly regulated and fell under various types of enactment according to the district. There was a good deal of legislation after the War, though up to 1929 farm-servants' contracts continued to be controlled by the Russian 1906 Act. The principal purpose of the eight Acts passed between 1919 and 1924 was to ensure that the large estates did not turn their domiciled workers (*deputatists* or 'cottars') adrift; some of the clauses are almost 'squatters' clauses, but mixed with these are stipulations on labour relations, certain of which are frankly borrowed from more advanced countries. An Act of 12 August 1929 replaced all this legislation as well as the Russian 1906 Act; a model contract of employment was published on 16 April 1930 and new Regulations issued on 23 March 1932. A brief account is to be found in *Zeitschrift für Ostrecht*, vol. ii, no. 7, 'Arbeitsrecht in Litauen', by A. Abramson (§ 2, 'Der Arbeitsvertrag in der Landwirtschaft').

Poland. The Presidential Order of 16 March 1928 on labour contract expressly excluded (§ 2) agriculture, the conditions in which industry were already being regulated by collective agreements; in so far as these fail to apply (they do not take much notice of the resident farm-servant), the most varied kinds of law are still in force according to the particular authority under which the districts in question fell before the War; e.g. in Galicia a Farm-Servants' Ordinance of 1857 might still be cited, though it is held that the penal clauses would be overridden by the principles of free contract laid down in the new constitution of Poland. On the large estates the grading of agricultural workers is elaborate, as in Hungary. There has been organized emigration of agricultural workers to Germany and France, the latter only since the War. The following are a few references: *I.L.R.*,

vol. xviii, no. 3, pp. 307-38, 'Agricultural Workers and Agrarian Reform in Central Europe' (refers to other countries also), by Adam Rose; *ibid.*, vol. xxvii, no. 1, pp. 66-73, 'The Conditions of Agricultural Workers in Poland', by J. Gnoinski; *ibid.*, 'The Seasonal Emigration of Polish Agricultural Workers to Germany', by G. S. Rabinovitch; further, *Zeitschrift für Ostrecht*, vol. ii, no. 7, pp. 941-88, 'Das Arbeitsrecht in Polen', by Th. Brzeski (pp. 949-52, 'Der Arbeitsvertrag der landwirtschaftlichen Arbeiter').

Roumania. Agricultural labour relations have been dominated by the demands of noble landlords for centuries past for services to be rendered as a return for rights of land occupation; the history of the sufferings of the peasants on this count are set forth in some detail for English readers in D. Mitrany, *The Land and the Peasant in Roumania*, Carnegie Endowment for International Peace, *Economic and Social History of the War*, Oxford Univ. Press, 1930, 627 pp. However, the wage contract has for long been quite well known in rural districts and was regulated for a number of years before the War, although a large class of wage-paid agricultural workers cannot be said to exist. After the great uprising of 1907 the Act on Agricultural Contracts of December of that year was conceived in a spirit of reform, and a practicable separation was at least made between the leasing of land and the rendering of services; Chapter IV of that Act applied to labour contracts in the strict sense, but principally of day workers; resident farm-servants, even those on monthly contracts, were left under an Act of 1892, which was on Master and Servant principles. A new Act on labour contracts generally of 28 March 1929 covers all agricultural workers and controls such contracts on modern principles.

Spain. Descriptions of agrarian conditions and of the circumstances attending the life of the agricultural worker will be found in *I.L.R.*, vol. xi, no. 6, pp. 173-90, 'The Agrarian Problem in Spain', by F. de los Rios, and *ibid.*, vol. xix, No. 6, pp. 868-71, 'Conditions of Agricultural Workers in Spain'.

Switzerland. See reports issued from time to time by the Secrétariat des Paysans Suisses, of which the most recent is analysed in *I.L.R.*, vol. xxiv, nos. 2-3, pp. 258-66, 'Working Conditions of Agricultural Wage-Earners in Switzerland'. Article 349 of the *Code des obligations 1911* is peculiar to agriculture and insists on special notice of termination of contract on either side at certain seasons of the year, with a view to protecting both employer and worker against unfair treatment.

APPENDIX No. 3

AGRICULTURAL LABOUR IN TROPICAL AND SUB-TROPICAL COUNTRIES.¹

THE forms of agricultural labour in tropical and sub-tropical countries present such a bewildering variety that a bare enumeration would exceed the limits of this Note, in which only the briefest outline of some of these forms can be given.

Agricultural labour in tropical and sub-tropical areas includes, indeed, such widely different forms as communal farming, labour for the family or tribe in stock-farming or cultivation, labour services of free tribesmen in cultivating the lands or tending the stock of chiefs, labour of slave tribes, labour of domestic slaves, labour of serfs or semi-serfs, labour of share-farmers, *métayers*, labour-tenants, and squatters, labour under long, medium, or short-term contracts, with or without criminal penalties for breach of contract, and regulated or unregulated casual labour. Except in the case of contract and casual labour, usually for alien employers, and some forms of share-farming, *métayage*, labour-tenancy, and squatting, the conditions of this labour are governed by indigenous laws and customs, the nature of which is often inadequately known, if it is known at all, to any one other than the people immediately concerned.

It is proposed, therefore, to confine the present Note to those agricultural workers in tropical and sub-tropical countries whose conditions of labour are regulated in various ways by statute law, or are susceptible of regulation by statute law, in accordance with the principles of modern social legislation, without cutting into the tangled mass of usages that have grown up within traditional economic and social systems. These workers are generally, though not always, in the service of alien employers whose undertakings are operated more or less by modern technical and industrial methods. They may most conveniently be classified in accordance with the criterion adopted in the preceding Chapters, i.e. by the form of their employment contracts, into long and medium-term contract labour, short-term contract labour, and casual labour.

Before saying more of these forms of employment, it is necessary, however, to make some reference to the special problem of obtaining labour in tropical and sub-tropical areas, both because of its intrinsic importance and of its influence on the evolution of the contract of employment.

For a correct understanding of the conditions of employment of the labour which is the subject of this Note, it is essential to realize that this labour does not completely correspond in all cases to the definition of agricultural employed workers given in Chapter IV above. An agricultural employed worker is there defined as 'a person whose time not being occu-

¹ Contributed by Mr. C. W. H. Weaver, Chief of the Special Problems Section, International Labour Office, Geneva.

pied, or not wholly occupied, in cultivating land of his own, is willing to work on the land of another for some form of remuneration'. In regard to many workers in the tropical and sub-tropical zones, this definition should be amended to read, 'is *induced* to work', &c. Moreover, in some cases, the idea that the worker's time is not occupied, or not wholly occupied, in cultivating land of his own is not applicable, as he is not infrequently induced by the propaganda of recruiters or the pressure of indigenous or other authorities, economic circumstances, or taxation to abandon the necessary cultivation of his own land in order to enter wage-earning employment.

The characteristic situation with which the alien promoters of agricultural undertakings in tropical and sub-tropical areas are confronted is the absence of populations accustomed to, or desirous of entering, wage-earning employment, or the presence of persons accustomed to wage labour in numbers insufficient to meet the demand. The indigenous inhabitants of these areas may be occupied in the processes of their traditional economy or other traditional pursuits (collecting natural products, hunting, fishing, stock-farming, primitive cultivation, or war, head-hunting, &c.) They may have preferred to enter the Western economic system as independent agriculturalists. They may simply be so few in numbers as to be unable to supply the necessary wage labour for alien agricultural undertakings. Until, therefore, the stage is reached when a wage-earning class has been formed or sufficient numbers of the indigenous inhabitants have become accustomed to seeking wage-earning employment spontaneously as a subsidiary source of income, it has been necessary to use various active methods of obtaining labour either in the territory of employment or in other countries.

It is unnecessary here to do more than mention such active methods of obtaining labour as slave-raiding and legal or illegal compulsion; the use of such methods seems to have almost entirely disappeared in connexion with the forms of employment to which this Note is limited. Most common in these days, and in those areas where the spontaneous offer of labour is insufficient to meet the demand, is the active recruiting of labour by the agents of employers, by professional recruiters, or by workers on leave of absence or whose contracts have expired. These methods of obtaining labour are usually regulated by law; the tendency of the evolution of recruiting is towards the elimination of the professional recruiter, and the concentration of recruiting either in the hands of organizations of employers operating through salaried agents or agents remunerated on a *per capita* basis, or in the hands of bona-fide workers of the undertaking seeking labour. The question of laying down international standards for the regulation of recruiting will be discussed at the International Labour Conference in 1935 with a view to the adoption of an international Convention in 1936; (cf. *The Recruiting of Labour in Colonies and in Other Territories with Analogous Labour Conditions*, published by the International Labour Office, Geneva, 1935).

Important as is the question of recruiting in itself as one of the main problems of agricultural labour in tropical and sub-tropical countries, it is even more important, from the special point of view of this Note, in its influence on the evolution of the agricultural labour contract. For the recruiting of labour, especially if it takes place in another territory and necessitates a long journey by land or sea to the place of employment, is a costly process. From the outset of the employment of recruited labour, therefore, the law empowered employers to require recruited workers to enter into a long-term contract or indenture, the breach of which rendered them liable to criminal penalties, in order to guarantee employers against the loss of the sums disbursed for recruiters' commissions, gratuities to indigenous authorities, travelling expenses, advances of wages, &c.

The result was that the first typical form of agricultural employment contract of indigenous or immigrant workers of the unskilled or semi-skilled classes, in the service of alien employers, was the long-term contract with penal sanctions for breach of contract. And as the contract was made to protect the employer against the loss of the expenses of recruiting by ensuring to him the services of the recruited workers for a long period (e.g. five years), the obligations stipulated in the contract were almost entirely those of the worker, the employer being rarely required to subscribe to other obligations than those of feeding and housing his workers.

Under the combined influences of enlightened opinion, which has seen in the long-term contract sanctioned by criminal penalties a survival of servitude, of the improved organization of recruiting, and of the increased supply of labour accustomed to and spontaneously seeking wage-earning employment, the evolution of the agricultural labour contract, especially during the present century, has been towards the shortening of the duration of contracts or their entire replacement by short-term agreements, the removal or attenuation of the penal clauses, and the transformation of contracts into genuine reciprocal agreements in which the employer's obligations towards the worker are as fully set forth as are those of the worker towards the employer.

While long contracts of five, three, or two years are still permitted by law in many territories, practice tends to be in advance of the law except where the workers are recruited or engaged at a considerable distance from the place of employment. Thus, for example, contracts of five years are worked by Indo-Chinese and Javanese labour in New Caledonia, and by Javanese labour in Dutch Guiana; five-year contracts are also legal in South Africa in the Cape Province and the Transvaal and in South-West Africa. Contracts of three years are provided for in the laws of the Belgian Congo, the Gold Coast, Kenya (the maximum duration of squatters' contracts, the minimum being one year), Natal (the South African Native Service Contract Act fixes a maximum of three years for labour tenant contracts in Natal and the Transvaal), Gilbert and Ellice Islands, New Guinea, Papua, French Indo-China, Portugese colonies (for immigrants),

and the Netherlands Indies (penal sanction contracts for employment outside the province of origin). Two-year contracts are permitted in Nigeria and the British East African Dependencies in the Solomon Islands, in the New Hebrides (minimum: six months), in the French African colonies and in the Portuguese colonies (employment within the territory). One-year contracts are provided for in Tanganyika (employment outside the recruiting area), in British North Borneo, Sarawak, and Fiji.

In practice, long-term contracts, except for employment outside the territory, are no longer found in British West Africa, the usual system being that of monthly agreements; in Kenya the ordinary contract is for a period of eight to ten months; and in Tanganyika most contracts are for 180 days. As regards South Africa, it should be noted that long contracts are usually those which include some element of land-tenancy, or do not involve the separation of the worker from his home and family. Short-term agreements which, if no definite period is stipulated, are deemed to be made for three months, are recognized in the Belgian Congo. In territories dependent upon Indian labour, such as Ceylon and Malaya, the long-term contract system has been entirely abolished in consequence of the prohibition by the Indian emigration laws of all long-term contracting of Indians, and the prevalent system is that of the monthly agreement. It should be added that the laws of some territories provide for shorter periods in the case of re-engagement contracts.

The tendency towards the abolition or attenuation of the provisions of contracts relating to criminal penalties for breach of contract is most strikingly exemplified in the Netherlands Indies and in British West Africa. In the Netherlands Indies the Coolie Ordinance of 1931 requires employers to employ increasing percentages of 'free workers', i.e. workers who have not signed a penal sanction contract, and in practice the number of workers serving under penal sanction contracts is not at present more than 5 per cent. of the labour force; the contracts of 'free workers' contain no stipulation concerning their duration, and the workers are free to change their employment. In British West Africa criminal penalties have been attenuated practically to the point of abolition; some territories, however, have reserved the possibility for the courts to direct the performance of the contract and to order the party responsible for the breach of contract to furnish security, failure to furnish such security rendering the party liable to imprisonment not exceeding three months.

The development of the provisions of contracts which afford protection to the worker is one of the most satisfactory features of the evolution of the agricultural labour contract in tropical and sub-tropical areas. These provisions relate to such matters as rations, the supply of clothing, housing, the nature of employment, the rate of wages, and manner of payment, the daily task, hours of work, periods of rest, medical attention, repatriation on the expiry of the contract, &c. Moreover, the due fulfilment of the obligations of the contract by the employer was being increasingly secured,

before the economic crisis imposed drastic and in some cases disastrous cuts in colonial public services, by special inspection services.

It is a point of considerable importance in connexion with the evolution of the agricultural labour contract that the most complete systems of protection for the worker have usually been associated with the long-term contract guaranteed by penal sanctions. The colonial legislator has always been unwilling to impose on the employer the same obligations in respect of short-term contract and casual labour. The paradoxical situation has therefore arisen that, with the increasing abandonment of long contracts—a development which is in the worker's interest inasmuch as it increases the amount of personal freedom he enjoys—the worker loses the positive protection ensured to him by contract legislation. In few colonies, indeed, does there exist legislation regulating the working conditions of agricultural workers who are not bound by long-term labour contracts. The introduction of suitable protective social legislation for 'free' workers will thus be one of the most important tasks of colonial legislators in the future; it is the more necessary as the stage of collective bargaining is not even within sight.

To sum up, the tendency of the development of the conditions of agricultural labour in the service of alien employers (and in some territories in the service of indigenous employers also) is towards the substitution of free currents of migration and the creation of stable wage-earning populations for recruited labour, and the abandonment of the long-term contract with criminal penalties for breach of contract in favour of short-term agreements. This development, while it has obvious advantages for the workers concerned, has a dark side in that the positive protective provisions of contract legislation rarely apply to non-contract labour. The conditions of the unprotected agricultural worker of the tropics come, therefore, nearer to those of the inadequately protected agricultural worker in Europe. In some territories, however, the traditions created under the contract labour system remain alive, and in the Netherlands Indies, for instance, it is claimed that the employers voluntarily accord to 'free workers' many of the benefits ensured by law to the contract workers. The development of modern social legislation applicable to agricultural wage-earners generally is as important in the tropical and sub-tropical regions of the world as in the countries of temperate climate.

APPENDIX No. 4

HOURS OF WORK IN AGRICULTURE: JOURNEY TIME, PAID HOLIDAYS, PREPARATORY WORK, ETC.

THE regulation of the working hours of agricultural workers must inevitably be complicated by certain issues which bear on the main problem. The question of *journey time* ought to be settled. There may be journeys from the worker's home to the farm and also from the farm to the place of work; there are the respective return journeys and, further, the question of where the worker is to take his midday meal. There must be an agreement as to whether any or all of these journeys are to count as working time. A certain number of arrangements exist, but there is absolutely no uniformity of practice even within the same country. The German Provisional Code lays down in principle that journey time from farm to place of work counts as working time; this is followed in collective agreements, but with variations; at least in one case some very complete stipulations are laid down, but this is exceptional. In Poland also journeys between farm and place of work count as working time; the reverse is the case in Denmark; for Austria and Italy see International Labour Office, *Studies and Reports*, Series K, No. 11, pp. 81-2. The journey time which is consumed by the Australian and New Zealand shearer in passing from one sheep-station to another may constitute anything from 6 to 25 per cent. of the whole 'expedition'; this time, as well as that taken in travelling from and back to the worker's home, should, in the view of the courts, be taken into account in fixing rates for shearing, which must be arranged so as to cover the loss of this time; see *Australian Commonwealth Arbitration Reports*, vol. xxv, 1927, pp. 626-741.

The question of *holidays*, i.e. of regularized holidays for which the worker receives wages, also arises. The continuous nature of many agricultural labour contracts makes such holidays a necessity. The difficulty can be solved by the observance of saints' or feast days, local or national, and another difficulty created when there are too many of these! Definite arrangements for uninterrupted free time are better, and by no means uncommon. Over a dozen countries secure annual paid holidays for some or all of their agricultural workers, either by means of legislation or collective agreements or both; the arrangements apply to staff on long-term contracts only. In Czechoslovakia, Finland, Italy, Mexico, Peru, and Spain general Acts on the subject cover agricultural workers coming under the conditions mentioned, although in Mexico the protection afforded to such workers is slight; in Denmark the Master and Assistant Act applies to resident agricultural farm-servants; in the Austrian Provinces seven out of the eight agricultural labour codes secure holidays for ordinary farm-workers and also lay down rather elaborate arrangements for salaried staff on agricultural estates (cf. International Labour Office, *Studies and*

Reports, Series K, No. 10, pp. 35-7). Collective agreements supplement the terms of the legislation in this country, as also in Czechoslovakia and Italy, and, moreover, secure holidays for workers in the absence of Acts in Germany, the Netherlands, Poland, and Sweden (cf. International Labour Office, *Studies and Reports*, Series K, No. 11, pp. 89-92). The length of the holidays given in these countries varies from three days to three weeks and in Austria and Czechoslovakia is reckoned on a sliding scale according to number of years of service. Finally, the awards of the arbitration courts in Australia and New Zealand secure annual paid holidays lasting from two to three weeks, to be taken in the off-season, to sheep-station hands (not shearers) and to workers in butter and cheese factories (cf. *inter alia* Australian Commonwealth Pastoral Award of 14 September 1927 and New Zealand awards in the butter and cheese industries 1930 to 1932). As an interesting Memorandum of the New Zealand court explains, such holidays are extended as compensation for the arduous hours worked in the rush season (Department of Labour, *Awards, Recommendations, Agreements, Orders, &c., made under the Industrial Conciliation and Arbitration Act 1925, &c.*, vol. xxx, p. 152, Memorandum of 7 April 1930). When agreed to by the employer, such holidays become a matter of contract and can be enforced.

As regards the *preparatory work*, e.g. stable cleaning, &c., which has to be done before and after the regular work, the usual arrangement is to assume that such work will be done outside regular hours without additional payment; it must be remembered that such work normally falls to permanent workers whose allowances in kind are partly in compensation precisely for this sort of duty. Thus the German Provisional Code states that such work does not count in the hours laid down. However, occasional arrangements are found to prevent such work from becoming too onerous, either by limiting the time which can be required by the employer in this way (half an hour before working hours, Danish collective agreement) or by stating the maximum number of animals to be cared for by each worker (three draught animals per worker before working hours, Swedish collective agreement); arrangements can be elaborate (cf. *Studies and Reports* mentioned above, No. 11, pp. 79, 84).

The *hours of forestry workers* are different from those of other agricultural workers. Industrial hours are apt to be copied (there is the question of the light in winter); thus six out of the eight Austrian agricultural labour codes state that industrial hours are to be worked unless other arrangements are expressly agreed; this is probably typical.

Further details on hours of work in agriculture, whether regulated hours or unrestricted hours, will be available when the International Labour Office inquiry, called for by the Resolution adopted by the Conference in 1933 (see Appendix No. 7), has been completed. A rough estimate of actual hours worked in a few countries was made in 1926 by the Fourth Congress of the International Landworkers' Federation held at Geneva,

as follows: Denmark, 2,800 per year; Finland, 2,650; Germany, 2,900 (maximum, the average would be less); Lithuania, 3,000 (maximum, average less); Netherlands, 2,600-4,100. In Switzerland, according to the Swiss Peasants' Secretariat, the ordinary working day in agriculture in 1930 was, without meals but including journey time, 12 hours 15 minutes for staff engaged on the care of animals, and 11 hours 25 minutes for other staff (cf. *I.L.R.*, vol. xxiv, nos. 2-3, pp. 264-5). There is no doubt that, before the War, the excessively long working day, even during certain times of the year the day of 18 or 20 hours, was all too common in some European countries (and the harvest working day of Canada might be compared); but in France, at any rate, a material cutting down is vouched for; workers not engaged with animals now seldom do more than 2,400 hours in the year, though workers caring for animals may still do from 3,650 to 4,000, while women farm-servants do at least 15 hours a day (M. Augé-Laribé in *I.L.R.*, vol. xxv, no. 1, p. 33; cf. Javal, *La Confession d'un agriculteur*, pp. 78-9, 'not so far off the 8-hour day after all'). Information exists on hours of work in the Scandinavian countries (cf. *I.L.R.*, vol. xvi, no. 6, pp. 841-9, 'Hours of Work in Swedish Agriculture', for some typical facts).

APPENDIX No. 5

THE STRIKE AND OTHER MOVEMENTS OF PROTEST BY AGRICULTURAL WORKERS

It is sometimes thought that the strike has no place in agriculture. The facts contradict this assumption, for strikes of agricultural workers have taken place in a number of countries at one time and another and have sometimes been both severe and prolonged. The most remarkable have been: in England, in 1874 (the Joseph Arch movement); in Australia, in 1891 and 1894 (shearers' strikes); in France, in 1904 and other years (see below); in Poland, in 1918, 1921, 1925; in Sweden, in 1919, 1920, 1924-5, 1929-30 (a strike lasting nearly two years); in Denmark, in 1921 and 1930; in Germany, in 1923 (Silesia) and 1924 (East Prussia); in the Netherlands, in 1930.

It is seldom that the incidence and course of smaller movements not amounting to regular strikes are recorded, but occasionally the agricultural trade unions keep note of all protests of whatever kind over a certain period. Thus the German Social Democratic Union noted, in 1923, over 3,000 'wage movements' not involving cessation of work and 12 strikes involving such cessation, the strikes affecting 37,000 enterprises and 280,000 workers; in 1924 they noted 500 'wage movements' and 9 strikes, these affecting 2,200 enterprises and 24,000 workers; these two years were the years of greatest unrest among German agricultural workers (see *I.L.R.*, vol. xv, no. 5, pp. 746-9, 'Agricultural "Wage Movements" and Strikes in Germany'). In Austria between 1 January 1928 and 31 December 1930 there were 296 wage or other protest movements and 20 strikes, together affecting 68,357 persons (1,441 actual strikers) and involving the loss of 6,556 days' work; of these movements and strikes 132 were successful from the workers' point of view, 104 were compromised, and 17 were unsuccessful; further, there were 6 lock-outs affecting 144 persons and involving the loss of 1,434 days' work; about one-half of all these movements were in the forestry industry (*Bericht des Vorstandes des oesterr. Land- u. Forstarbeiterverbandes an dem sechsten ordentlichen Verbandstag*, Vienna, 1931, p. 34).

As typical of what can happen in agriculture some description may be given of movements of unrest among agricultural workers in France. These movements constitute almost a continuous history since 1890 or even earlier. They are largely local; the nearest approach to a national movement was in 1904, when the official statistics record 198 strikes affecting 10,043 enterprises with a maximum of 43,067 men out at one moment and an aggregate loss of 198,837 days' work (other figures yearly in Ministère du Travail, *Statistique du Travail: Statistique des grèves*). But even in this year the unrest was rather a combination of local strikes than one general movement. Strikes appear to arise very quickly out of an

alteration in the economic circumstances of the agricultural industry, and have not infrequently been caused by a *rise* in prices, when the workers have considered themselves unfairly treated by the failure of employers to share with them any of the resulting suddenly accruing profits; this was the case with the resin-workers both in 1860-4 and in 1903; the cutting off of foreign supplies of resin during the American Civil War caused a sudden increase in values, while in 1903 and following years prices quadrupled; those working on a share-profit system benefited, but piece-wages remained fixed; the result was a long series of small disputes. On other occasions also and in other branches of agriculture the intimate knowledge which every person working in the particular occupation has of the market outlook for the special product which is being handled makes the fixing of wages a sort of to and fro of continuous bargaining, with much temptation to unrest. Or a disastrous fall in prices, on the other hand, will also cause difficulty in those important occupations which deal in special products like wine.

Thus the earliest important vineyard workers' strikes of 1891 were the direct consequence of the complete disorganization of the vineyards due to the ravages of the phylloxera followed by the general agricultural depression of the 1880's; the 'proletarianization' of the vineyard peasant population is reckoned to have taken place during these years; there was also an influx of Spanish and Italian immigrant workers, so that wages fell to starvation level. Again, in 1900 the destruction of the grapes by a severe frost was one of the contributing causes to the strikes which culminated in 1904. But the subsequent strikes of 1909-11 were caused by advances in the price of wine (see throughout M. Augé-Laribé, *Le Problème agraire du socialisme. La viticulture industrielle du Midi de la France*, Paris, 1907, 362 pp., especially *Troisième partie: Le Proletariat agricole*).

Certain movements, on the other hand, appear to have arisen definitely out of unsatisfactory conditions of work, in the usual manner. At one time the lessees of the State forestry concessions followed the old unsystematized custom of the 'open hew', which meant that all who presented themselves, even women and children, for the wages announced could work; with such unregulated work wages were a pittance and accidents frequent. In 1891 a three months' strike took place; in 1892 another; by these two strikes wages were easily doubled or trebled, an interesting instance of accretion of bargaining power to workers by means of ordinary organization. Ten years later fresh strikes occurred; a fresh discipline was established and the workers formed a federation. Compulsory accident compensation insurance was finally imposed in 1914. The coopers, whose occupation is allied to forestry work, went on strike in 1892, again in 1899, 1907-8, and 1912. These strikes caused wages to advance, but there were never more than 2,500 coopers, and the occupation threatens to die out as iron coops are used. The nearest approach to a strike of ordinary farm-

workers, namely, the movement among the staff of the big farms in the north of France starting in 1906, is also to be attributed to bad conditions, e.g. long hours, bad food and lodging, and low wages. The unrest died down between 1908 and 1912 and has not been renewed. Good farm-workers of either sex are now at a premium, and conditions have unquestionably improved. Small strikes of share-farmers in the Bourbonnais between 1904 and 1912 were unconnected with other movements, and were more in the nature of tenant strikes against exactions of landlords' agents.

Finally, there have been the strikes among the horticultural workers who work under semi-industrialized conditions in the vicinity of the big towns. These strikes date back a long way; the question of hours has been a great cause of complaint. It is asserted that between 1874 and 1921 there were 69 such strikes involving 1,449 enterprises and nearly 30,000 workers in 75 unions; 250,745 days' work was lost and 182 days served in prison (A. Hodée, *Les jardiniers et les jardins*, Paris, 1928, p. 325).

There have been strikes since the War, 1919 to 1922 and 1924 to 1927, but they have not attained the dimensions of the unrest of 1904. The situation is not really satisfactory. This is partly owing to the state of French trade unionism and partly owing to the state of the law. The C.G.T. (*Confédération Générale du Travail*) inclines to spasmodic organization of agricultural workers without any proper sustained attempt to keep the rural workers in stable unions. The law rather lends itself to this, for, while great freedom of combined action is permitted, the bargains made in this way are not enforceable contracts. The curious sight is therefore seen of arrangements which have been concluded before the local Prefect, and perhaps with his direct encouragement, flouted almost within a few weeks; thus the same unrest flares up again and again in the same place (cf. M. Augé-Laribé in *I.L.R.*, vol. xxv, no. 1, pp. 55-6; and for general details of French agricultural trade unions, International Labour Office, *Studies and Reports*, Series K, No. 8, *The Representation and Organisation of Agricultural Workers*, Geneva, 1928, pp. 124-6).

APPENDIX No. 6

THE COMPOSITE NATURE OF THE AGRICULTURAL WAGE-PAID WORKER'S INCOME

IN the last section of Chapter XI reference was made to the fact that the agricultural worker's income was frequently constituted as a family income, made up of the resources of the whole family; mention was made of two German inquiries illustrating this point. These two inquiries were conducted with much care by the Social Democratic German Agricultural Workers' Union and the Christian Central Union of Agricultural Workers. The first referred to 145 typical agricultural wage-earning families for the year 1 July 1929 to 30 June 1930 and the second to 130 families for the year 1 January to 31 December 1927. Unless otherwise stated the remarks in this appendix refer to the first inquiry, but it may throughout be assumed that the results of the second inquiry back up those of the first; indeed, the close similarity of the facts elicited by the two organizations is striking.

The 145 households selected for the inquiry were preponderantly representative of the ordinary agricultural wage-earners' grade of income with a sprinkling both of higher and lower incomes. The families were constituted, on an average, of 5.11 persons, namely, husband, wife (households including one living partner in marriage were not selected), 2.26 children under 14 and 0.84 others; of these 2.6 persons were earners. *This high proportion of earners in each family is the first point to notice.* Actually 111 out of 145 wives earned (only 4 in industries other than agriculture); this means 3 out of every 4—a significant social fact when the number of young children is considered. Of children or other relatives, 96 out of 123 over 14 and 29 out of 328 under 14 (outside school hours) were also earners; of the 96, 18 were *Hofgänger* (i.e. ranking as adult agricultural workers), another 53 were also occupied in agriculture, and only 25 in other industries; of these last only 14 were really in receipt of wages, 11 being apprentices, mostly to some country craft. The whole analysis shows (1) that practically every person past the age of childhood (and a few still in that age) were earners and (2) that practically all of them were earners in agriculture.

Apart from the *Hofgänger*, the additional earners were not, of course, necessarily whole-time workers. But the composition of the family income shows how essential were their contributions to the family living. *The husband's earnings (cash and allowances) represented only 54.1 per cent. of that income* (in the inquiry of the *Reichsverband ländlicher Arbeitnehmer*, 60.38 per cent.). The balance was made up as follows: wife's wages, 10 per cent., wages of other members of the family, 7.6 per cent. (*R.L.A.* inquiry 8.03 and 11.4 per cent. respectively), occasional earnings, 2.0 per cent. (*R.L.A.* inquiry 1.03 per cent.); then comes the comparatively important item of

sale of allowances or produce off own plot of ground, 14.5 per cent. (*R.L.A.* inquiry, 13.33 per cent.); the remaining income was made up from miscellaneous sources, such as social insurance benefits, presents or help from relatives, &c. The gross annual income averaged 2,418 RM. (*R.L.A.* inquiry, 2,036 RM., but with deduction of expenditure on own plot of ground the net income was calculated on this inquiry as only 1,963 RM.).

This average conceals some further interesting facts. A table can be constructed, based on income gradations, which is distinctly illuminating.

<i>Income group (RM. per year)</i>	<i>No. of households</i>	<i>Proportion of wages of head of family to total income (percentage)</i>	<i>No. of persons in household</i>	<i>No. of persons earning</i>
Under 1,500 . . .	3	87.2	6.0	2
1,500-2,000 . . .	37	68.1	5.0	2
2,000-2,500 . . .	53	58.4	4.6	2.4
2,500-3,000 . . .	30	47.6	5.2	2.9
3,000-3,600 . . .	14	47.2	5.3	3.3
3,600-4,300 . . .	4	40.0	7.5	4.2
Over 4,300 . . .	4	29.2	8.5	5.5
Total or average . . .	145	54.1	5.11	2.6

While there are only three households below the extreme limit of 1,500 RM. income per year (but in the *R.L.A.* inquiry as many as 21, so that evidently such an income limit must not be considered wholly exceptional), the chief interest of the table lies not in the number of households in each income grade but in the relations between the first, third, and last columns. Where the children are still young (the family may be large) husband and wife are the sole earners and the income remains small; it only rises *as the number of earners increases* up to the point when, in exceptional cases, there was a labour force of 5.5 persons and something like a small family holding could be run with a trebling of income (the *R.L.A.* figures confirm these facts).

The German agricultural wage-paid worker does not support his family out of his wages alone. He looks round for some additional income, however small. He asks his wife and, as far as available, his children to find what work they can and earn what they can. Comfort is attained only by putting together all the sources of the family income.

The total income was already in this year (1929-30) affected by *want of employment*. Though the principal workers were on permanent contracts, nowhere was the full number of hours allowed to be worked under collective agreements attained; in some cases nearly 10 per cent. of agreed possible hours were not worked by the principal breadwinner, while in the case of wives the shortage of expected employment was much more

serious, so that in some cases the woman's contribution to the family income was only a fifth of what it might have been (in no case were women paid at rates at all equal to those which they would have earned in industrial employment). The special hardship involved was that the husband's contract obliged the wife to be at the employer's disposal all the year round—this is the old system of keeping a *corps* of workers always at command. However, there was a tendency to terminate these old *deputat* contracts and to substitute the more modern 'free' worker's contract. It is evident that the German Landworkers' inquiry has given us a cross-sectional view of German agricultural labour just at the point when it is beginning to turn away from the older system to the newer one of only paying for work as strictly needed and as performed. This stage is particularly hard for the worker, for he is being paid at the rates evolved under the old maintenance ideas but without the security which the old arrangements offered.

The income when earned was expended as follows (amounts in *Reichsmarks* between parentheses): food and drink, 29 per cent. (683 RM.), to which must be added much of the allowances consumed in the household, namely, 24 per cent. (550 RM.); clothing and boots, 13 per cent. (302 RM.); rent and repairs, 6 per cent. (130 RM., but of course the 'allowances' also cover rent); heating, light, and cleaning, 4 per cent. (90 RM.); doctor, chemist, education, 2 per cent. (51 RM.); amusements, family reunions, &c., 3 per cent. (70 RM.); social insurance, subscriptions, and taxes, 9 per cent. (212 RM.); finally, cash additions to allowances spent on the feeding and care of stock or on cultivation of small crops, 8 per cent. (191 RM.); the last item should, of course, really be deducted from the gross income and would produce a net income lower by this amount; the small remaining balance of income is accounted for by miscellaneous expenditure (fares, &c.) (*R.L.A.* figures very similar throughout).

See throughout: *Die Lebenshaltung, Lohn- und Arbeitsverhältnisse von 145 deutschen Landarbeiterfamilien*, *Schriften des deutschen Landarbeiterverbandes Nr. 32*, by W. Bernier, Berlin, 1931, 120 pp., and *Die Lebenshaltung des Landarbeiters: Wirtschaftsrechnungen von 130 Landarbeiterfamilien, Eine Erhebung des Reichsverbandes ländlicher Arbeitnehmer*, by M. Hofer, Berlin, 1930, 245 pp.

APPENDIX No. 7

CONVENTIONS, RECOMMENDATIONS, AND RESOLUTIONS OF THE INTERNATIONAL LABOUR ORGANISATION

REFERENCE has been made throughout this book to the work of the International Labour Organisation. The Organisation is part of the League of Nations and is governed by Part XIII of the Treaty of Versailles. The following details may be useful in assisting the reader to understand the work of the International Labour Conference, which is the most important body in the Organisation.

I. *Conventions and Recommendations on agricultural labour.* The Conference has adopted Conventions and Recommendations referring specifically to agricultural labour; both types of decision are formal decisions adopted, after much preparation and discussion, by the delegates annually assembled in the Conference, and both require a two-thirds' majority. A Convention, to become effective, must be 'ratified' by the 'competent authority' (usually the parliament) in each country and then becomes binding on that country for the period mentioned in the text (usually ten years); countries are free not to ratify and not to be bound, and many Conventions have been ratified by a few countries only. Between the countries which do ratify there may be said to exist a compact, or sort of international treaty, concerning the observance of definite standards for the treatment of labour. A Recommendation is less strict; it embodies the considered suggestions of the Conference, but imposes no obligations on the countries accepting it except the moral obligation of trying to apply it and the specific one of reporting the degree of their success herein to the Director of the International Labour Office year by year; the substance of these reports is communicated by the Director to the Conference. The sanctions backing up a Convention are much more severe.

Besides the Conventions and Recommendations having special reference to agricultural labour, a certain number of other Conventions and Recommendations cover agricultural workers in common with workers in industry, &c. These are not referred to in the present book.

Of the decisions earmarked for agriculture, three Conventions and seven Recommendations date from 1921, the year in which agriculture was most fully discussed by the Conference. The effort to deal with agricultural topics already at the Third Session of the Conference arose out of a desire to do the right thing by the agricultural workers, their claims having been raised at an early date during the setting up of the Organisation. An unforeseen result was that important ground was covered in rather a hasty way, before the Conference had had much experience of its duties; some of these early decisions in the agricultural field now appear rather insufficient.

The seven Conventions referring to agricultural workers deal with the

minimum age at which children should be admitted to agricultural employment (1921, 17 ratifications), the rights of association and combination of agricultural workers (see p. 173 of the present book) (1921, 27 ratifications), the levelling up of workmen's compensation for accidents in agriculture to the standards observed in industry (1921, 19 ratifications), and sickness, old age, invalidity, and survivors' insurance (the first adopted in 1926 and the other three in 1933, the first at present ratified by eleven States, the other three still awaiting ratification, the period laid down for this purpose not yet having expired). The seven Recommendations deal with the prevention of unemployment in agriculture, maternity protection, night rest for women, night rest for children and young persons working in agriculture, agricultural vocational education, living-in conditions (i.e. accommodation), and social insurance (all 1921).

The labour delegates at the Conferences have always advocated the policy of giving to agricultural workers treatment identical with that given to all other workers. This equality of treatment is far from having been obtained. In three respects the agricultural workers have been less well cared for at Geneva than their fellow workers in industry, &c. In the first place, the terms of the 1921 decisions are inferior, from the point of view of their interests, to those adopted on behalf of other workers; in the second place, in certain fields, notably hours of work, no decisions have been adopted on their behalf or they have been formally excluded from the scope of a general decision (e.g. from the decisions on unemployment insurance); in the third place, if they have been included, separate texts have been voted for them; these texts, though verbally identical with the texts adopted for other workers, require independent ratification, which may very likely be deferred until after ratification has been received of the text applying to such other workers.

In this way international headquarters have perpetuated the principle of unequal treatment for agricultural workers. Whether anything more would have been practical politics is a question which might evoke endless discussion. Want of organization among agricultural workers themselves, combined with some rather formidable difficulties surrounding their representation in the Organisation, has contributed to this unsatisfactory state of affairs.

II. *Resolutions of the International Labour Conference referring to agricultural labour.* The Conference has also from time to time adopted a few Resolutions referring to agricultural workers. The importance of Resolutions adopted by the Conference varies with the topic dealt with, the circumstances in which the Resolution was formulated, and the sequence given to the ideas expressed in it. A Resolution of 1928 on collective agreements in agriculture called for an investigation by the International Labour Office on the scope and advantages of this method of dealing with working conditions of agricultural labour. The resulting report (*Studies and Reports, Series K, No. 11, Collective Agreements in Agriculture, Geneva,*

1933, 122 pp.) was placed before a Commission of the Conference in 1933. The Commission was of opinion that the idea might be pursued, and referred its recommendations to the Governing Body of the International Labour Office. It appears probable that the matter will be discussed by the Conference in the near future.

An important Resolution on hours of work in agriculture, adopted by the Tripartite Preparatory Conference on the Reduction of Hours of Work in 1933 and referred to in Chapter VII of this book, arose out of protests voiced by the workers against the total exclusion of agriculture from the discussions at this crucial point in the history of the Organisation. The Conference, however, found that hours of work in agriculture were not within the terms of reference of the Session then in being, and it is true that notice had not been given to governments of any intention to discuss the item within the agricultural field. A compromise was found. The substance of the workers' Resolution was not endorsed by the Conference, but by 33 votes to 19 was referred to the Governing Body of the International Labour Office. By direction of the Governing Body the inquiry into agricultural hours asked for in the Resolution is now in the course of being carried out by the International Labour Office; only after the results of this inquiry have been placed before the Governing Body will a decision as to any further action be taken. The text of the workers' Resolution will be found in *International Labour Conference, Seventeenth Session, Geneva, 1933, Reduction of Hours of Work—Report of the Tripartite Preparatory Conference, Geneva, 1933, 212 pp. ; see pp. 21-2.*

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NOTE. *The information in the Tables to Chs. III and XI, and on page 206 (numbers of agricultural population, salaried and wage-paid agricultural workers, figures of agricultural wages), together with that in the Notes to these Tables, is not indexed separately under the names of countries.*

ABBREVIATIONS: *agric.* = agriculture, agricultural; *ind.* = industry, industrial.

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